

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

BESSIE BAGGETT,

Plaintiff,

v.

5:11-CV-0195

**MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY,**

Defendant.

APPEARANCES:

OF COUNSEL:

OLINSKY LAW GROUP
300 S. State Street
5th Floor, Suite 520
Syracuse, NY 13202
Counsel for Plaintiff

KAREN S. SOUTHWICK, ESQ.

HON. RICHARD S. HARTUNIAN
United States Attorney
Northern District of New York
P.O. Box 7198
100 S. Clinton Street
Syracuse, NY 13261-7198

BENIL ABRAHAM, ESQ.
Special Assistant U.S. Attorney

NORMAN A. MORDUE, U. S. DISTRICT JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge David E. Peebles, duly filed on the 13th day of June 2012. Following fourteen (14) days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. The plaintiff's motion for judgment on the pleadings is granted, the Commissioner's determination is vacated, and the matter is remanded for further consideration.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: July 10, 2012
Syracuse, New York



Honorable Norman A. Mordue
U.S. District Judge